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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE: Slava L Beloshapka

Case No: 17-10895/JNP
Chapter 13

**NOTICE OF MOTION FOR SANCTIONS FOR WILLFUL VIOLATION
OF THE AUTOMATIC STAY**

HEARING DATE: March 28, 2017 at 10:00am

TO:

Isabel Balboa

Cherry Tree Corporate Center
535 Route 38, Suite 580
Cherry Hill, NJ 08002

Mark Wills Jr.

3631 Windsor Dr.
Bensalem, PA 19020

PLEASE TAKE NOTICE that on the 21st of March, 2017 at 10:00am, the undersigned, attorney for Debtor, shall make application to this Honorable Court for an Order Sanctioning creditor Mark Wills, for Willful Violations of the Automatic Stay.

PLEASE TAKE FURTHER NOTICE that the undersigned shall rely upon the attached Certification of Debtor, Slava L Beloshapka, the arguments of counsel and such other and further proofs as may be adduced at the hearing hereof.

PLEASE TAKE FURTHER NOTICE that the moving party believes that no brief is necessary in support of the within application due to the fact that the matter involves no complex issues of law or fact.

PLEASE TAKE FURTHER NOTICE that if you wish to contest the within Motion, you must file opposition with the office of the Clerk of the Bankruptcy Court, and serve upon the undersigned, 7 days in advance of the aforesaid hearing, your responding papers stating with particularity the basis of your opposition to the within Motion. A copy of the proposed Order which is sought is enclosed with this Motion.

Dated: 3/1/17

/s/ Seymour Wasserstrum, Esq.
Seymour Wasserstrum, Esq.
Attorney for Debtor

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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE: Slava L Beloshapka

Case No: 17-10895/JNP
Chapter 13

CERTIFICATION OF SLAVA L BELOSHAPKA

I, Slava L Beloshapka, am the debtor in this case and am authorized to make this certification. I certify that all statements made by me are true and correct and I am aware that if any statements are willfully false I am subject to punishment for false swearing.

1. I filed my most recent bankruptcy case on January 17, 2017.
2. On January 20, 2017, I filed a motion to extend the automatic stay to all creditors.
3. On February 16, 2017, a hearing was conducted on the motion to extend the automatic stay.
4. The outcome of the motion was that the stay was extended to February 23, and a plenary hearing was scheduled for February 23 in order for the Court to testimony to render a final decision.
5. On February 16, 2017 I attended the 341 Hearing at the Office of the Chapter 13 Trustee.
6. At my 341 Hearing, creditor Mark Wills Jr appeared.

7. Following the 341 Hearing, Mark Wills went to property that is owned by me, and harassed the tenants.
8. He went to 4608 Torresdale Ave, Philadelphia PA, and began telling Steven Lee, who works as a mechanic, that he was going to lose his job and his tools.
9. Mark Wills harassed customers at 4608 Torresdale Ave, telling them that they should not come into the shop.
10. Mark Wills repeated this behavior again on February 17, 2017 which resulted in a police report being filed against Mark Wills. DC# 17-15-014301.
11. Mark Wills also went to my place of work A Impuls Auto located at 4671 Torresdale Ave, where I work as a car salesman.
12. Mark Wills came to my work and harassed customers, yelling obscenities, and disrupting the business.
13. Mark Wills further stated that he would go to my house.
14. I am scared to leave my wife at home, so I have sent her back to the Ukraine to stay with her family for the time being.
15. On February 27, 2017 Mark Wills again returned to 4608 Torresdale Ave, and told Steven Lee that if Mr. Lee did not cooperate with Mark Wills that Mark would bring the sheriff.

I, Slava L Beloshapka, certify that all statements that are true and correct and I am fully aware that if any statement is willfully false I am subject to punishment for false swearing.

Dated: February 28, 2017

/s/ Slava L Beloshapka
Slava L Beloshapka, Debtor

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-2(c)

Seymour Wasserstrum, Esq. SW2734
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Attorney for Debtor(s)

In Re:

Slava L Beloshapka

Case No.: 17-10895

Chapter: 13

Adv. No.: N/A

Hearing Date: March 28, 2017 @ 10:00am

Judge: JNP

**ORDER TO FOR SANCTIONS FOR WILLFUL VIOLATIONS
OF THE AUTOMATIC STAY**

The relief set forth on the following page, numbered two (2) is hereby **ORDERED**.

(Page 2)

Debtor: Slava L Beloshapka

Case No: 17-10895/JNP

Caption of Order: for Sanctions for Willful Violations of the Automatic Stay

Upon consideration of Debtor Slava L Beloshapka's Motion for Sanctions for Willful Violations of the Automatic Stay; and good cause appearing therefore; it is hereby

ORDERED AND ADJUDGED that

1. The motion is hereby **GRANTED**;
2. Mark Wills is ordered to immediately refrain from any interaction with the Debtor, or any property owned by the Debtor;
3. Mark Wills is further ordered to pay reasonable attorney fees to the Debtor;
4. Mark Wills is further ordered to pay damages to the Debtor for emotional distress, damage to his relationships, and damage to his business;
5. Mark Wills is further ordered to pay punitive damages to the Debtor as determined by the Court; and
6. Any other relief that the Court deems fit.

Date: _____

Hon. Jerrold N. Poslusny

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY Caption in Compliance with D.N.J. LBR 9004-2(c)	
Seymour Wasserstrum, Esq. SW2734 Law Offices of Seymour Wasserstrum 205 W. Landis Avenue Vineland, New Jersey 08360 Phone: (856) 696-8300 Fax: (856) 696-6962 Attorney for Debtor(s)	
In Re:	Case No.: 17-10895
	Chapter: 13
	Adv. No.: N/A
	Hearing Date: 3/28/17 @ 10:00am
Slava L Beloshapka	Judge: JNP

CERTIFICATION OF SERVICE

1. I, Seymour Wasserstrum:
- ☒ represent the Slava Beloshapka in the above-captioned matter.
- ☐ am the secretary/paralegal for Seymour Wasserstrum, Esq., who represents the Debtor in the above-captioned matter.
- ☐ am the _____ in the above case and am representing myself.

2. On March 3, 2017, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:

**NOTICE OF MOTION FOR SANCTIONS FOR WILLFUL VIOLATION
OF THE AUTOMATIC STAY**

CERTIFICATION OF SLAVA BELOSHAPKA

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: March 3, 2017

/s/Seymour Wasserstrum
Signature

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Isabel C. Balboa Cherry Tree Corporate Center 535 Route 38, Suite 580 Cherry Hill, NJ 08002	Chapter 13 Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
Slava L Beloshapka 3 Treebark Terr Voorhees, NJ 08043	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
Mark Wills Jr. 3631 Windsor Dr. Bensalem, PA 19020	Creditors	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)

Rev. 8/1/16